HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Appeal No.150 of 2006
(Old No. 1509 of 1989)

1. Smt. Sneh Lata Pandey wife of Sri R.S. Pandey r/o village Birainghpur, Bhiti, District Faizabad
2. Raja Ram son of sri Ram Lal Dubey resident of village Khanupur, P.S. Shaidpur, District Faizabad.

…….. Appellants

Versus

State of Uttaranchal …… Respondent

Dated: 11.12.2006

Hon'ble Rajesh Tandon, J.

Present appeal has been filed against the judgment and order dated 12.06.1989, passed by the Special Judge, Anti-Corruption U.P. Dehradun, thereby forfeiting the securities of the appellants.

Briefly stated both the appellants stood sureties for accused R.S. Pandey in four cases before the Special Judge, Anti Corruption, Dehradun and have executed sureties for Rs.5,000/- each in all the four cases. Subsequently accused R.S. Pandey has abused from the bail and was declared absconder. Notices to the sureties were issued and their surety bonds were forfeited. However, C.B.I. arrested the accused from Midnapur, Calcutta.

The Special judge has imposed the penalty on the appellants for a sum of Rs. 2,000/- in each case and thus each of the appellant was required to deposit a total amount of Rs. 8,000/- in all the four cases.

None appears for the appellants despite of service of notinces. I have heard the learned A.G.C. and have gone through the record.

The learned Special Judge, has reduced the amount of penalty to the extent of Rs.2,000/- from Rs.5,000/- in each case and now the appellants have to pay Rs.8,000/- each instead of Rs.20,000/- each.

I find no illegality or irregularity in the order passed by the Special Judge, Anti Corruption, Dehradun.

The appeal lacks merit and is hereby dismissed.

Dated: 11.12.2006 **Rajesh Tandon, J.**
*Dhayani